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| <b>LOS LUNAS POLICE DEPARTMENT</b>                              | <b>ADMINISTRATION</b>                      |
| <b>SUBJECT:</b><br><i>Gratuities, Rewards, and Witness Fees</i> | <b>NUMBER:</b><br><i>ADM.30.01</i>         |
| <b>EFFECTIVE DATE:</b><br><i>June 25, 2010</i>                  | <b>REVIEW DATE:</b>                        |
| <b>AMENDS/SUPERSEDES:</b>                                       | <b>APPROVED:</b><br><i>Chief of Police</i> |
| <b>NMMLEPSC STANDARDS:</b>                                      | <b>NMSA:</b>                               |

## I. POLICY

Employees shall not solicit or accept rewards, presents, gratuities, or compensation other than that paid by the City, or as provided for by City Ordinance or Department Policy, for services performed in the line of duty.

## II. PROCEDURE

- A. Any reward, gratuity, present, or unauthorized compensation received by any Officer, shall immediately be submitted to the Chief of Police, accompanied by an incident report describing all circumstances related to the incident.
- B. No employee shall use his/her badge, uniform, identification card, or Official position to solicit special privileges for him or herself or others such as:
  - 1. Admission to places of amusement.
  - 2. Sporting events.
  - 3. Discount on purchases.
  - 4. Other favors, except as expressly permitted by Department orders.
- C. Employees shall not solicit witness fees for responding to a legally constituted subpoena and testimony in criminal or civil courts if on duty. The witness fee being paid is \$95.00 a day. 10-8-4 NMSA 1978. If an Officer is paid a witness fee, and assuming the village is paying his wage and providing the transportation, the officer should pay to the Village that portion of the witness fee that duplicates his wage. For example if the officer is paid a witness fee of \$95.00 and he is also paid a salary of \$50.00 by the Village during the time of his testimony, the officer should pay the \$50.00 to the Village and retain the \$45.00 for himself.
- D. Some businesses extend their appreciation to the Police or actually want the visibility of the Police presence at their businesses by offering Police Officers free

food or beverage, e.g. coffee or a snack. Accepting a free cup of coffee or a snack, as an example, should not be considered as a reward or gratuity unless the Officer solicits the service by use

of his/her Official position or is doing special favors for the business people in question as a result of their offer.